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EXAMINER
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GEDRICH, SARAH R

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/915,064

**Applicant(s)**

BENTON, WILLIAM M.

**Examiner**

Sarah R. Gedrich

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the **option to redeem the amount above the reserve ceiling for cash at a preferred discount rate** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. The applicant should note reference 106 to the option to redeem the amount above the required reserve for cash at a preferred rate and make changes accordingly.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The disclosure is objected to because of the following informalities:
- Page 9, line 19 states "need by," which should be "need **be**."
  - Page 18, line 8 has a comma where a period should be between "box 64" and "Additionally."

Appropriate correction is required.

***Claim Objections***

3. Claim3 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 3 states a "financial institution guaranteeing an amount equal to the assigned credit limit."

MoneyGlossary.com defines credit as, a contractual agreement to receive money, goods (trade credit), or services not while paying for them in the near term, and a credit limit as, the maximum amount of credit a bank will extend. An assigned credit limit is, therefore, the promise of a loan to a certain amount, where the promise/contract is a guarantee.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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**5. Claims 1, 4-13, 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**6. Claims 1, 4-13, 17 and 18 are rejected due to lack of antecedent basis recited in the limitations. Some examples are:**

- “in the event” recited in claim 1.
- “the amount of the purchase” recited in claims 1, 9, 11, and 17.
- “the financial history” recited in claim 4.

There is insufficient antecedent basis for the above-mentioned limitations in the subsequent claim.

Appropriate corrections are required. Applicant is encouraged to review the claims in their entirety and make corrections where needed.

***Claim Rejections - 35 USC § 102***

**7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**8. Claims 1, 4, 14-15, 17, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by O’Mara et al. US Patent No. 6,490,568 (hereinafter referred to as “O’Mara”).**

9. **Referring to claim 1.** O'Mara discloses an automated system and method for monitoring financial transactions. O'Mara further discloses:

- **Buying and selling goods and services among members of a network including financial institutions:** The system further includes a transaction processor in communication with the merchant credit card transaction processor, database, and a plurality of card issuers (O'Mara: Column 3, lines 19-22)
- **Conducting credit check:** a credit card will be issued only after the issuer has conducted a credit background check (O'Mara: Column 1 lines 38-43).
- **Assigning a credit limit:** The issuers' confidence is reflected in the amount of credit granted (O'Mara: Column 1, lines 38-43).
- **Assigning a required reserve contribution:** The transaction processor may require a minimum account balance or reserve (O'Mara: Column 2, lines 49-51).
- **Determining a working balance:** monitoring account includes adding up the amount of daily activity, comparing to minimum reserve, etc (O'Mara: Column 4, lines 40-48).
- **Executing a transfer of goods or services between members of the network:** a typical transaction (O'Mara: Column 3, line 57).
  - **Transmitting a purchase request:** A cardholder proposes to purchase goods or services (O'Mara: Column 3, lines 57-58).
  - **Approving the purchase request:** The merchant communicates with the transaction processor in order to have the transaction authorized (O'Mara: Column 3, lines 60-63).

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- Crediting derivatives to the seller and debiting derivatives from the buyer:

Settlement occurs when funds are transferred from the issuing institution to the merchant (O'Mara: Column 3, lines 54-56). The issuer posts transactions to the appropriate cardholders account for payment (O'Mara: Column 2, lines 17-19).

10. **Referring to claim 4.** O'Mara further discloses:

- Minimum required reserve based on the financial history: Where the merchant is high risk, a minimum reserve may be required. The minimum balance serves as collateral for future debits (O'Mara: Column 2, lines 48-51).

11. **Referring to claims 14 and 15.** O'Mara further discloses:

- Financial institution charging the buyer or seller a service fee: transaction processors and issuers assess fees for processing the credit card transaction (O'Mara: Column 2, lines 40-41).

12. **Referring to claim 17.** O'Mara further discloses:

- Buying and selling goods and services among members of a network including financial institutions: The system further includes a transaction processor in communication with the merchant credit card transaction processor, database, and a plurality of card issuers (O'Mara: Column 3, lines 19-22)
- Conducting credit check: a credit card will be issued only after the issuer has conducted a credit background check (O'Mara: Column 1 lines 38-43).
- Assigning a credit limit: The issuers' confidence is reflected in the amount of credit granted (O'Mara: Column 1, lines 38-43).

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- Assigning a required reserve contribution: The transaction processor may require a minimum account balance or reserve (O'Mara: Column 2, lines 49-51).
- Determining a working balance: monitoring account includes adding up the amount of daily activity, comparing to minimum reserve, etc (O'Mara: Column 4, lines 40-48).
- Executing a transfer of goods or services between members of the network: a typical transaction (O'Mara: Column 3, line 57).
  - Transmitting a purchase request: A cardholder proposes to purchase goods or services (O'Mara: Column 3, lines 57-58).
  - Approving the purchase request: The merchant communicates with the transaction processor in order to have the transaction authorized (O'Mara: Column 3, lines 60-63).
  - Crediting derivatives to the seller and debiting derivatives from the buyer: Settlement occurs when funds are transferred from the issuing institution to the merchant (O'Mara: Column 3, lines 54-56). The issuer posts transactions to the appropriate cardholders account for payment (O'Mara: Column 2, lines 17-19).
- Auditing the working balance: The system is capable of cooperating with other risk management programs to selectively divert and approve a specific dollar amount of a merchant's suspended deposits upon reviewing the status of the transaction processor database (O'Mara: Column 7, lines 28-33).

13. Referring to claim 19. O'Mara further discloses:



- Limiting future transactions of those members whose balance of recorded sales is less than required reserve to an exchange of derivatives with other members:

If the reserve amount ever falls below the required minimum reserve, then the system should automatically suspend funding until the minimum reserve is reestablished via daily deposits (O'Mara: column 6, lines 61-64).

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. **Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

**O'Mara in view of Lebda et al US Patent No. 6,385,594 (hereinafter referred to as "Lebda").**

16. Referring to claim 2. O'Mara discloses the system above. O'Mara fails to disclose submitting an application and having the financial institution perform a credit check. Lebda discloses a method and computer network for co-coordinating a loan over the Internet. Lebda further discloses:

- Submitting an application and performing a credit check: The data from the completed application is encrypted by SSL technology and at the borrowers instruction, the information is sent to a computer for further manipulation (Lebda: Column 4, lines 20-25). The computer dials to a credit bureau, obtains a Fair

Isaac Credit Score, and determines borrowers credit risk (Lebda: Column 4, lines 32-42).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include submitting an application as taught by Lebda in order to allow the prospective borrower to input information and initiate editing and validation checks (Lebda: Column 4, lines 4-10).

**17. Claims 5, 20-21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Mara in view of Rowe Patent Application Publication US 2002/0198803.**

**18. Referring to claim 5.** O'Mara discloses the system above. O'Mara fails to disclose establishing a reserve ceiling contribution. Rowe discloses a method and apparatus for facilitating monetary and commercial transactions and for providing customer rewards programs. Rowe further discloses:

- Establishing a reserve ceiling contribution: The account provider assigns the account with a maximum funds value (Rowe: paragraph 0053). If the account is empty, the account is simply closed by the account provider (Rowe: paragraph 0108).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include a reserve ceiling contribution as taught by Rowe in order to ensure that a thief cannot empty the account holder's primary account of all funds (Rowe: paragraph 0006).

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**Referring to claims 20 and 21.** O'Mara discloses the system above. O'Mara fails to disclose allowing members whose recorded sales balance is greater than reserve and less than the ceiling to redeem cash at a standard discount rate and a preferred rate if greater than the ceiling. Rowe further discloses:

- Allowing members whose recorded sales balance is greater than reserve and less than the ceiling to redeem cash at a standard discount rate and a preferred rate if greater than the ceiling: transactions result in a reward based upon the rules of the particular reward program (Rowe: paragraph 0156). In an example of a Cashback reward, the consumer receives 2% Cashback on general transactions. Different percentages can be awarded depending on the amount of the transactions or credits can be awarded after a certain number of transactions (Rowe: paragraph 0158).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include redeeming cash at discounted rates for sales as taught by Rowe in order to provide financial account flexibility to the consumer (Rowe: paragraph 0021).

19. **Referring to claim 22.** O'Mara discloses the system above. O'Mara fails to disclose preventing members whose balance is less than zero from executing a transfer until the balance is greater than zero. Rowe further discloses:

- Preventing members whose balance is less than zero from executing a transfer until the balance is greater than zero: The account is frozen until sufficient funds

are placed into the account to cover the funds deficiency (Rowe: paragraph 0110).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include preventing transfers from members whose balance is less than zero as taught by Rowe in order to allow the provider to charge the customer for utilizing the credit line (Rowe: paragraph 0110).

**20. Claims 6-7, 9, 18, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Mara in view of Bhutta Patent Application Publication US 2001/0027413.**

21. Referring to claim 6. O'Mara discloses the system above. O'Mara fails to disclose permitting each financial institution to maintain the collected reserve in an account of its choice. Bhutta discloses a system, software, and method of evaluating, buying, and selling a consumer's present and potential buying power through a clearing house. The consumer being an individual or entity receives compensation as cash or other form in exchange for transacting with companies and merchants affiliated with the clearing house. Bhutta further discloses:

- Permitting the financial institution to maintain reserve in an account of its choice:  
The affiliates agree to pay a price/dividends to the client transaction broker system (CTB) (Bhutta: paragraph 0056). The CTB is permitted to invest or leverage a portion of the dividends to accumulate additional value (Bhutta: paragraph 0057).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include the financial institute maintaining the reserve in an account of its choice as taught by Bhutta in order to allow the CTB to receive a portion of dividends and still provide compensation to the participants (Bhutta: paragraph 0057).

22. **Referring to claim 7.** O'Mara also fails to disclose maintaining a central processor having a database containing records of each member. Bhutta further discloses:

- **A central processor and database maintaining member records:** The computerized system comprises a plurality of software components, which facilitate the administration of the CTB. Each component comprises a suite or group of computerized functionalities integrated into a singular system, which can be accessed by the CTB (Bhutta: paragraph 0078). The consumer analysis suite further comprises a database for organizing participant information (Bhutta: paragraph 0080).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include a central processor as taught by Bhutta in order to allow the CTB's consumer analysis suite to perform searches, edits, sorts, and processing of consumer information for the evaluation and maintenance (Bhutta: paragraph 0080).

23. **Referring to claim 9.** O'Mara fails to disclose recording the amount of sales and purchases made by each member. Bhutta further discloses:

- **Recording the amount of sales and purchases of each member:** The information exchange is used to update the consumer information database that comprises a

plurality of records for each consumer participant. The database contains mercantile activity and a transaction history (Bhutta: paragraph 0045).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include recording the sales and purchases of each member as taught by Bhutta in order to Determine compensation owed to participants, monitor dividend exchange between affiliates and CTB, and monitor compliance with terms of agreement (Bhutta: paragraph 0045).

24. **Referring to claim 18.** O'Mara discloses the system above. O'Mara fails to disclose requiring payment for a negative balance. Bhutta further discloses:

- **Requiring a cash payment from members with negative balances as of a selected date:** In the case the participant not meeting his obligation to perform the agreed upon activity, the CTB may require that participant to repay the CTB at least a portion of the compensation dividend (Bhutta: paragraph 0084). The processing and tracking suite may notify the CTB of compensation which is owed over the term of enrollment (Bhutta: paragraph 0085).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include payment of negative balances as taught by Bhutta in order to insure that both participant compliance and affiliate compliance are monitored and maintained by the CTB (Bhutta: paragraph 0084).

25. **Referring to claim 23.** O'Mara discloses the system above. O'Mara fails to disclose requiring the member to execute sales before permitting the member to purchase goods. Bhutta further discloses:

- Requiring members whose balance of recorded sales is less than zero to execute sales and deposit derivatives before permitting members to purchase goods or services: O'Mara discloses suspending funding until daily deposits establish a reserve (O'Mara: Column 6, lines 61-64). Bhutta discloses that the merchants are contracted and agree to pay for a part of the consumers buying power (Bhutta: paragraph 0023). The system may further insure that the merchant pays all agreed upon dividends to the CTB and other conditions and arrangements are met (Bhutta: paragraph 0085). The examiner notes that the conditions for the merchants contract include required sales to create dividends.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include requiring the execution of sales before permitting purchases as taught by Bhutta in order to maintain affiliate compliance (Bhutta: paragraph 0084).

**26. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Mara in view of Bhutta in further view of Katz Patent Application Publication US 2002/0013767.**

**27. Referring to claim 8.** The combination of O'Mara and Bhutta teaches the system above. The combination fails to teach assigning a value to the presently available credit, and to the balance of recorded sales in terms of derivatives. Katz teaches electronic funds transfer system for financial transactions. Katz system facilitates open electronic commerce using electronic money as an alternative to cash, checks, etc. Katz further discloses:

- Assigning a value to the presently available credit and to the balance of recorded sales in terms of derivatives: Cyber Credit money is provided as a primary medium of exchange, store of value, and defacto legal tender for transactions facilitated through the Internet (Katz: paragraph 0039).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of O'Mara and Bhutta to include assigning values in terms of derivatives as taught by Katz in order to meet the need for an Internet based universal electronic money system (Katz: paragraph 0039).

**28. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Mara in view of O'Leary et al. US Patent No. 6,609,113 (hereinafter referred to as "O'Leary").**

**29. Referring to claims 10 and 11.** O'Mara, discloses the system discussed above. O'Mara fails to disclose transmitting the request to a central processor having a database and comparing the amounts of purchases with funds available for approval. O'Leary discloses a method and system for processing payments using the Electronic Funds Transfer Network. O'Leary further discloses:

- Transmitting the request to a central processor having a database containing available credit and balance of recorded sales: Using a Payment Portal Processor enhanced wallet, the user selects item for purchase from merchant website (O'Leary: Column 15, lines 52-54). The user invokes the Wallet by clicking on an icon (O'Leary: Column 15, lines 62-63). The user reviews bill payment and selects the Purchase Item button (O'Leary: Column 16, lines 6-11).



The Wallet stores form filling information, discount information, points accrued (O'Leary: Column 9 line 66 – Column 10, line 10) and transaction history (O'Leary: Column 11, lines 23-27).

- Comparing amounts for approval: The Wallet verifies the user's balance in the primary IPA account. If there are insufficient funds, the user is asked to transfer funds. If funds are sufficient, the PPP generates payment authorization for transmission to the bank (O'Leary: Column 16, lines 18-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include transmitting request to central processor and comparing amounts for approval as taught by O'Leary in order to reduce fraud and credit losses and eliminating dispute and chargeback processing (O'Leary: Column 7, lines 51-54).

**30. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Mara in view of O'Leary as applied to claims 10 and 11 above, and further in view of Knorr et al. Patent Application Publication US 2002/0077929 (hereinafter referred to as "Knorr").**

**31. Referring to claims 12 and 13.** The combination of O'Mara and O'Leary discloses the system above. The combination fails to disclose issuing a notice of pending sale and permitting the buyer or seller to provide corrections during the pending sale. Knorr discloses an event-driven shopping method utilizing electronic e-commerce order pending. Knorr further discloses:

- Issuing a notice of a pending sale to buyer and seller: The Order pending scheduler dispatches the order to the vendor at least 3 or 4 weeks prior to the

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fulfillment date. The order pending database sends the purchaser a notice that the event is about to happen and the transaction will be executed and completed (Knorr: paragraph 0066).

- Permitting buyer and seller to provide corrections before the sale is finalized:

The purchaser may cancel or modify the order anytime during the monitoring mode. The vendor can use the time between the electronic hold and the order execution to interact with the purchaser for suggested up-selling or alternative items if the product is unavailable (Knorr: paragraph 0065).

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the combination of O'Mara and O'Leary to include issuing a notice of pending sales and permitting the buyer or seller to make corrections as taught by Knorr in order to provide appropriate time execution (Knorr: paragraph 0007) and allow the purchaser to change any instructions previously given (Knorr: paragraph 0066) or the merchant to update an old model item (Knorr: paragraph 0065).

**32. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Mara in view of Katz.**

**33. Referring to claim 16.** O'Mara discloses the system taught in claim 1. O'Mara fails to disclose a record of the transaction being sent to the buyer, seller, and their financial institutions. Katz further discloses:

- Transmitting a record of the transfer of goods or services to the member buyer, the member seller, and their financial institutions: The Central Control operates an inter-bank transfer to balance a banks currency reserves with that specific

bank's customer Cyber Credit balances (Katz: paragraph 0051). The record of the processed cyber credit transfer and/or business transaction is then recorded in an electronic storage device on the Central Controller (Katz: paragraph 0058). Electronic transfer can be generated by each party for retention as necessary for financial records (Katz: paragraph 0061).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify O'Mara to include transmitting records to each party as taught by Katz in order to provide necessary financial records and reporting requirements (Katz: paragraph 0061).

### ***Conclusion***

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lerner et al. Patent Application Publication US 2002/0077918. "System and Method for Purchasing Goods or Services Via the Internet."
- Stewart et al. Patent Application Publication US 2002/0120846. "Electronic Payment and Authentication System With Debit and Identification Data Verification and Electronic Check Capabilities."

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah R. Gedrich whose telephone number is (703) 306-5449. The examiner can normally be reached on M-F 7:30am - 5:00pm, alternating Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703) 308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sarah R. Gedrich  
Examiner  
Art Unit 3625

SRG

  
WYNN W. COGGINS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600